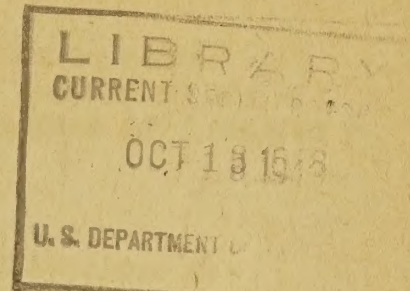


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UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT AGENCY

1942 Crop Parity Payment Regulations



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Parity payments for the 1942 crop year will be made to producers of corn (in the commercial corn-producing area), wheat, and types 41-44, 46, and 51-55 tobacco, who comply with the provisions of these regulations.

### Section 1 ELIGIBILITY FOR PAYMENT

An application for parity payment with respect to a crop may be made by any person for whom, under the provisions of Section 3, a share in the payment with respect to a crop may be computed.

### Section 2 RATES OF PAYMENTS AND DEDUCTIONS

#### (a) CORN

(1) Payment. - Corn-allotment farms. - 7.2 cents per bushel of the normal yield of corn for each acre in the corn allotment.

(2) Deduction. - (i) Corn-allotment farms. - 10 times the payment rate for each acre planted to corn in excess of the corn allotment. The deduction for excess corn acreage shall not exceed the payment computed for corn plus 10 times the payment rate for each acre planted to corn in excess of 130 percent of the corn allotment. (ii) Non-corn-allotment farms. - 10 times the payment rate for each acre planted to corn in excess of 15 acres or 130 percent of the corn allotment, whichever is larger.

#### (b) WHEAT

(1) Payment. - Wheat-allotment farms. - 13.7 cents per bushel of the normal yield of wheat for the farm for each acre in the wheat allotment.

(2) Deduction. - (i) Wheat-allotment farms. - 10 times the payment rate for each acre planted to wheat in excess of the wheat allotment except that the deduction for any person who seeded within his allotment but who did not store his excess volunteer wheat until it could be marketed free of marketing quota penalty shall be (a) ten times the payment rate for each acre by which the sum of the acreage seeded to wheat and the acreage of volunteer wheat which reaches maturity is in excess of the allotment times his percentage share (applicable if the wheat allotment exceeds 15 acres or if the sum of the acreage seeded to wheat and the acreage of volunteer wheat which reached maturity is less than 110 percent of the wheat allotment) or (b) the sum of the wheat payment for the farm and 10 times the payment rate for each acre of wheat harvested in excess of 15 acres times his percentage share (applicable if wheat allotment is 15 acres or less and the sum of acreage seeded to wheat and the acreage of volunteer wheat which reaches maturity equals or exceeds 110 percent of wheat allotment): Provided, however, That on any farm in the Southern Region except Oklahoma and Texas, which comprised more than one farm under the 1941 Agricultural Conservation Program, but which was determined by the county committee after the wheat was seeded for harvest in 1942 to comprise only one farm, the deduction for excess wheat acreage for the combined farm shall not exceed the larger of (1) the deduction which would have been computed had there been no combination for 1942 and (2) the wheat payment for the combined farm.



(ii) Non-wheat-allotment farms. - Ten times the payment rate for each acre of wheat on the farm harvested for grain, or for any other purpose after reaching maturity, in excess of the larger of 15 acres or the wheat allotment or permitted acreage, whichever is applicable, or, in the East Central Region and in the Southern Region except Texas and Oklahoma, in excess of the largest of (a) the wheat acreage allotment or permitted acreage, whichever is applicable, (b) 15 acres, or (c) if no wheat is sold from the farm, 3 acres per family living on the farm and having an interest in the wheat crop grown thereon, Provided, That for any farm in the Southern Region except Oklahoma and Texas, which in 1941 comprised more than one farm but which was determined by the county committee after the wheat was seeded for harvest in 1942 to comprise only one farm, the deduction shall not exceed the deduction which would have been computed had there been no combination for 1942.

(c) TOBACCO (TYPES 42-44, 46 and 51-55)

(1) Payment. - 1 cent per pound of the normal yield of tobacco for the farm for each acre in the tobacco allotment.

(2) Deduction. - 10 times the payment rate for each acre of tobacco harvested in excess of the tobacco allotment or permitted acreage, whichever is applicable.

(d) TOBACCO (TYPE 41)

(1) Payment. - 2 cents per pound of the normal yield of tobacco for the farm for each acre in the tobacco allotment.

(2) Deduction. - 10 times the payment rate for each acre of tobacco harvested in excess of the tobacco allotment or permitted acreage, whichever is applicable.

Section 3. DIVISION OF PAYMENTS AND DEDUCTIONS

The net payment or net deduction computed for any farm with respect to any crop shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares expressed in terms of either acreages or percentages) that such persons are determined by the county committee to be entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of such crop(s) grown on the farm in 1942. Such determination shall be made at the time the county committee approves the application for payment: Provided, That if any such crop is not grown on the farm in 1942, or the acreage of such crop is substantially reduced by flood, hail, drought, insects, or plantbed disease, the net payment or net deduction computed for such crop shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of such crop if the entire acreage in the acreage allotment for such crop had been planted and harvested in 1942: And provided further, That, in cases where two or more separately owned tracts of land comprise a farm in any area designated by the Agricultural Adjustment Agency as an area in which a substantial proportion of the farms comprise two or more separately owned tracts of land, and all persons who are entitled to receive a share of the proceeds



of any such crop agree, as shown by their signatures on the application for payment or a separate statement, the share of each such person in the net payment or net deduction computed with respect to such crop on such farm shall be that share which fairly reflects the contribution of each such person to performance with respect to such crop and also results substantially in a division of such payment or deduction among landlords, tenants, and sharecroppers as classes as each such class shares in the crop, or proceeds thereof, with respect to which the payment or deduction is being made. In cases where landlords, tenants, or sharecroppers have lost their interests in any crop for which special crop allotments are determined after planting but prior to harvest thereof, by reason of the acquisition of title to or lease of the farm for use in connection with the national war effort, the net payment (excluding any compensation for the loss of payment) or the net deduction computed with respect to such crops shall be divided among such persons in the same proportion that the county committee determines that such persons would have been entitled, as of the time of harvest, to share in the proceeds of such crops except for such acquisition of title or lease.

Notwithstanding any other provisions herein, any deduction computed for failure to store excess volunteer wheat until it could be marketed free of marketing quota penalty shall be considered as a personal deduction for the person who failed to comply.

#### Section 4. PRORATION OF NET DEDUCTIONS

If the sum of the net payments computed for all persons on a farm exceeds the sum of the net deductions computed for all persons on such farm, the sum of the net deductions computed for all persons on such farm shall be prorated among the persons on such farm for whom a net payment is computed, on the basis of such computed net payments. If the sum of the net deductions computed for all persons on a farm equals or exceeds the sum of the net payments computed for all persons on such farm, no payment will be made with respect to such farm and the amount of such net deductions in excess of the net payments shall be prorated among the persons on such farm for whom a net deduction is computed, on the basis of such computed net deductions.

#### Section 5. DEDUCTIONS INCURRED ON OTHER FARMS

##### (a) OTHER FARMS IN THE SAME COUNTY

Each person's share of the net deduction computed for a farm shall be deducted from his share of the net payment computed for any other farm in the county.

##### (b) OTHER FARMS IN THE SAME STATE

Each person's share of the net deduction computed for all farms in the county shall be deducted from his share of the net payment computed for any other farm in the State, if the State committee finds under the 1942 Parity Payment Program that the crops grown on the farms for which net deductions are computed substantially offset the contribution to the program on other farms.



Section 6. GENERAL PROVISIONS RELATING TO PAYMENTS

(a) PAYMENTS RESTRICTED TO EFFECTUATION OF  
PURPOSES OF THE PROGRAM

All or any part of any payment which otherwise would be computed for any person under this program may be withheld or required to be returned if he adopts or has adopted any practice which tends to defeat any of the purposes of the 1942 Crop Parity Payment Program; if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized; or if, with respect to grazing land, forest land, or woodland owned or controlled by him, he adopts or has adopted any practice which is contrary to sound conservation practices.

Practices which tend to defeat the purposes of this program and the amount of the payment which shall be withheld or required to be refunded in each such case include, but shall not be limited to, the following cases:

Practice

Amount to be withheld or refunded

(1) A landlord or operator, including the landlord of a cash or standing or fixed rent tenant, either by oral or written lease or operating agreement, or by an oral or written agreement supplementary to such lease or operating agreement, requires by coercion or induces by subterfuge his tenant or sharecropper to agree to pay to such landlord or operator all or a portion of any Government payment which the tenant or sharecropper has received or is to receive for participating in the 1942 Crop Parity Payment Program.

The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(2) A landlord or operator requires that his tenant or sharecropper pay, in addition to the rental customarily paid in the community for similar land and use, a sum of money or any thing, or service of value equivalent to all or a portion of the Government payment which may be, is being, or has been earned by the tenant or sharecropper.

The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(3) A landlord or operator knowingly omits the names of one or more of his landlords, tenants, or sharecroppers on an application

The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.



for payment form or other official document required to be filed in connection with the 1942 Crop Parity Payment Program, or knowingly shows incorrectly his or their acreage shares of a crop, or otherwise falsifies the record required therein to be submitted in respect to a particular farm, thereby intentionally depriving or attempting to deprive one or more landlords, tenants, or sharecroppers of any Government payment to which they are entitled.

(4) A person complies with the provisions of the program on a farm or farms operated by him as an individual, but causes or fails to prevent the substantial offsetting of such performance by the farming operations of a partnership, association, estate, corporation, trust, or other business enterprise in which he has a financial interest and the policies of which he is in a position to control.

(5) A partnership, association, estate, corporation, trust, or other business enterprise carried on its operations so as to qualify for payment, but one of the persons who is interested in and in position to control the operations or policies of such partnership, association, estate, corporation, trust or other business enterprise, substantially offsets such performance by such person's individual operations.

(6) A person operates farms in two or more States and substantially offsets his performance in one State by overplanting his farm allotments in another State.

The amount of the net deduction computed for such business enterprise.

All or any part of the person's payments shall be forfeited except that the amount so forfeited shall not be less than the greater of the amount of the deduction incurred with respect to the person's farm or the person's share of the payment computed for the partnership, association, estate, corporation, trust, or other business enterprise, and the payments to the partnership, association, estate, corporation, trust, or other business enterprise, shall be reduced by the amount which the State committee finds or estimates is commensurate with his interest in such enterprise.

The net amount of the deduction which would be computed for such person for such overplanting if the farms were in the same State.



(7) A person rents land for cash, standing, or fixed rent to another person who he knows or has good reason to believe will offset such person's performance by substantially overplanting the acreage allotment for the farm which includes such rented land.

(8) A person participates in the planting, production, or harvesting of a crop on a farm other than a farm in which he admits having an interest. (A person shall be considered to be participating in the planting, production, or harvesting of a crop if the committee finds that he furnished labor, machinery, workstock, or financial assistance for the planting, production, or harvesting of such crop and that he has a financial interest in such crop.)

(9) A tenant, in settling his obligations under a written or oral rental contract or operating agreement, or a written or oral contract or agreement supplemental or collateral thereto, pays or renders cash, standing rent, or fixed rent, or a share of the crop, or any service or thing of value, aggregating in value in excess of the rental customarily paid in the community for similar land and use, thereby diverting to the landlord or operator the whole or any part of any Government payment which the tenant is entitled to receive. The application of this rule shall be subject to the approval of the regional director.

(10) A landlord or operator by force or causes, by coercion, subterfuge, or in any manner whatsoever, a tenant or sharecropper to abandon a crop prior to harvest for the purpose of obtaining the share of the Government payment that would otherwise be made to the tenant or sharecropper with respect to such crop.

The net amount of the deduction which would be computed if the person were entitled to receive all the crops planted on the land so rented.

The proportion of the net amount of the deduction which would be computed for the farm which the committee determines was such person's interest in the crops planted, produced, or harvested.

The whole of any payment with respect to the farm which has been or otherwise would be made to such tenant. There shall be withheld from or required to be refunded by such landlord or operator the whole of the payments with respect to all of his farms under the program involved: Provided, however, That, where a tenant is renting for a share of the crop only and the tenant's share is 60 percent or less, only the landlord's or operator's payments shall be withheld or recovered.

The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.



(11) A person misuses or participates in the misuse of a marketing card with respect to any crop for which marketing quotas are in effect or fails to file or knowingly falsifies any report required by or under the regulations pertaining to marketing quotas for the 1941-42 or 1942-43 marketing year and such misuse or failure to file or falsification of such report results in any erroneous or incomplete record pertaining to any farm in connection with marketing quotas.

The entire payment which has been or would otherwise be made to such person with respect to the farm.

(b) PAYMENT COMPUTED AND MADE WITHOUT REGARD TO CLAIMS

Any payment or share of payment shall be computed and made without regard to questions of title under State law; without deduction of claims for advances (except for indebtedness to the United States subject to set-off under orders issued by the Secretary), and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

(c) CHANGES IN LEASING AND CROPPING AGREEMENTS, REDUCTION IN NUMBER OF TENANTS, AND OTHER DEVICES

If on any farm in 1942 any change in the arrangements which existed on the farm in 1941 is made between the landlord or operator and the tenants or sharecroppers and such change would cause a greater proportion of the payments to be made to the landlord or operator under the 1942 program than would have been made to the landlord or operator for performance on the farm under the 1941 program, payments to the landlord or operator under the 1942 program with respect to the farm shall not be greater than the amount that would have been paid to the landlord or operator if the arrangements which existed on the farm in 1941 had been continued in 1942, unless the county committee certifies that the change is justified and approves such change.

If on any farm the number of sharecroppers or share tenants in 1942 is less than the average number on the farm during the three years 1939 to 1941 and such reduction would increase the payments that would otherwise be made to the landlord or operator, such payments to the landlord or operator shall not be greater than the amount that would otherwise be made, unless the county committee certifies that the reduction is justified and approves such reduction.

The action of the county committee under this paragraph (c) is subject to approval or disapproval by the State committee.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1942 program has employed any other scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of any payment under the 1942 Crop Parity Payment Program to which such person would normally be entitled, the War Food Administrator may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require



such person to refund, in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the 1942 program.

(d) DEDUCTIONS IN CASES OF ERRONEOUS NOTICE OF  
ACREAGE ALLOTMENTS

Notwithstanding the provisions of Section 2, in any case where, through error in a county or State office, the producer was officially notified of an allotment or permitted acreage for a crop larger than the finally approved allotment or permitted acreage for that crop and the county and State committee find, if the notice was in writing, or the county and State committees, with the approval of the Chief of the Agricultural Adjustment Agency, find if the notice was not in writing, that the producer, acting upon information contained in the erroneous notice, planted an acreage to the crop in excess of the finally approved allotment or permitted acreage, the producer will not be considered to have exceeded the allotment or permitted acreage for the crop unless he planted an acreage to the crop in excess of the acreage stated in the notice erroneously issued, and the deduction for excess acreage will be made only with respect to the acreage in excess of that stated in the notice erroneously issued.

(e) OPERATED FARMS

Payments will be made only with respect to farms that are operated except in areas designated by the Agricultural Adjustment Agency as areas in which a substantial number of farms will not be operated for causes beyond the control of the operators. In these areas the payment for any crop on a farm that is not operated will be computed on the smaller of (1) the acreage allotment or (2) 125 percent of the acreage planted to the crop.

Section 7. NO DEDUCTION FOR ASSOCIATION EXPENSES

No part of the parity payment computed for any farm shall be deducted for county association expenses incurred or to be incurred in connection with 1942 crop parity payments.

Section 8. APPLICATION FOR PAYMENT

Applications heretofore or hereafter filed in the county office for 1942 agricultural conservation and parity payments or for 1942 parity payments will be regarded as applications for 1942 crop parity payments and the data on these applications will be used in determining 1942 crop parity payments.

Section 9. APPEALS

Any person may, within 15 days after notice thereof is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation or determination in any matter affecting his right to or the amount of payment for any farm in which he has an interest as landlord, tenant, or sharecropper. The county committee shall notify him of its decision in writing within 15 days after receipt of written request for reconsideration. If he is dissatisfied with the decision of the county committee he may, within



15 days after the decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify him of its decision in writing within 30 days after the submission of the appeal. If he is dissatisfied with the decision of the State committee, he may, within 15 days after its decision is forwarded to or made available to him, request the regional director to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee shall also be issued to each person known to it who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows that he is adversely affected by the outcome of any request for reconsideration or appeal may appeal the matter further but any person who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, would be affected by the decision to be made on any reconsideration by the county committee or subsequent appeal shall be given a full and fair hearing if he appears when the hearing thereon is held.

#### Section 10. FORMS AND INSTRUCTIONS

The Agricultural Adjustment Agency shall prescribe such forms and issue such instructions as may be necessary to carry out these regulations.

#### Section 11. PERFORMANCE OF DUTIES OF STATE AND COUNTY COMMITTEES IN HAWAII AND PUERTO RICO

The Officer in Charge of the Office of the Agricultural Adjustment Agency for the Territory of Hawaii or for Puerto Rico, as the case may be, shall perform the duties of both the State and county committees as set forth in these regulations.

#### Section 12. DEFINITIONS

As used herein and in all forms and documents relating to 1942 crop parity payments for producers of corn (in the commercial corn-producing area) wheat or tobacco, unless the context or subject matter otherwise requires, the terms:

(a) Secretary, Regional Director, State committee, county committee, person, landlord, tenant, sharecropper, commercial corn-producing area, special crop allotment, acreage planted to corn, and acreage planted to wheat, shall have the same meanings as are assigned to them in ACP-1942 as amended.

(b) Farm means the area of land considered as a farm for the purpose of ACP-1942, as amended.

(c) Parity and marketing year shall have the same meanings as those assigned to them in the Agricultural Adjustment Act of 1938.

(d) Allotment means the allotment established for the farm in accordance with ACP-1942, as amended.



(e) Normal yield means the normal yield for a commodity determined in accordance with ACP-1942, as amended.

(f) Permitted acreages of wheat or tobacco means the permitted acreage of such commodity determined in accordance with ACP-1942, as amended.

(g) Non-corn-allotment farm and non-wheat allotment farm mean such farms as defined in ACP-1942, as amended.

### Section 13. AUTHORITY AND AVAILABILITY OF FUNDS

These regulations are issued pursuant to the authority to make commitments for such payments vested in the Secretary of Agriculture by the item entitled "Parity Payments" contained in the Department of Agriculture Appropriation Act, 1943, and the Department of Agriculture Appropriation Act, 1944, Sections 301 and 303 of the Agricultural Adjustment Act of 1938, as amended, and pursuant to the authority vested in the War Food Administrator by Executive Order 9322, as amended by Executive Order 9334. Authority: 56 Stat. 664; 52 Stat. 38, 45, 7 U.S.C. 1940 ed. 1301, 1303.

Done at Washington, D. C.,

this 16th day of July, 1943.

PAUL A. PORTER  
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Acting War Food Administrator



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